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CERTIFICATE OF PUBLICATION
From THE NEWS-POST
Frederick, Md.

NOTICES

**NOTICE
NO. 13,943 EQUITY**

In the Circuit Court for Frederick County in Equity.
Samuel F. Repp and Sarah S. Repp, his wife, et al, plaintiffs vs. Effie Smith Grossnickle, Surviving Executrix of the Will of George W. Garber, deceased, et al, defendants.

ORDER OF PUBLICATION

The object of the bill of complaint in this cause is to procure a decree of the Circuit Court for Frederick County, in Equity, for the sale of real estate of which Rachael J. Grossnickle Garber died seized and possessed, and that trustees be appointed to make a sale and to divide the proceeds thereof among the parties to this cause that may be entitled to interests therein.

The Bill states in substance that Rachel J. Grossnickle Garber died on or about the 23th day of May, 1939, and at the time of her death was seized and possessed of certain real estate situate in the village of Johnsville, Frederick County, Maryland, conveyed to her as Rachel J. Grossnickle, by deed from Edgar A. Graham and wife dated December 1, 1923, and recorded in Liber 346, folios 294, etc., one of the Land Records of Frederick County, Maryland, a certified copy of said deed being filed in said cause containing about an acre and a half of land, more or less, together with the improvements thereon. That being so seized of said real estate said Rachael J. Grossnickle Garber died intestate, leaving a surviving husband, George W. Garber, who is now deceased, having died the 7th day of June, 1939, leaving a last Will and Testament that has been duly admitted to probate in the Orphans' Court of Frederick County, Effie Smith Grossnickle being named therein as the surviving executrix thereof, who has duly qualified as such and who resides in Frederick County, Maryland, certified copy of said will being filed in said cause. That the said Rachael J. Grossnickle Garber left no children or descendants of any child or children, but left two brothers and a sister surviving her, who are the plaintiffs in this cause, and a number of nephews and nieces and their descendants, who, by the laws of the State of Maryland, are heirs at law and entitled to the proceeds of said real estate, together with the distributive share to which her surviving husband's estate is entitled. That the heirs at law of Rachael J. Grossnickle Garber, who are entitled to interests in said real estate, are as follows:

George W. Garber, husband of Rachael J. Grossnickle Garber, who is now deceased.

(1) Samuel F. Repp, a brother, whose wife's name is Sarah Repp, residing in Frederick County, Maryland.

(2) Daniel S. Repp, a brother, whose wife's name is Lavinia Repp, residing in Carroll County, Maryland.

(3) Maud Humerick, (widow), a sister, she residing in Carroll County, Maryland, all of whom are adults.

(4) Also the children and heirs at law of Manassah O. Repp, a brother, who predeceased the said Rachael J. Grossnickle Garber, intestate, namely:

(1) A daughter, Annie Senseney, whose husband's name is G. Ernest Senseney.

(2) A daughter, Rose Repp, unmarried.

(3) A daughter, Effie Senseney, whose husband's name is Marshall Senseney.

(4) A son, Harvey Repp, unmarried; all of whom are adults, residing in Carroll County, Maryland.

(5) A daughter, Rachel Ecker, whose husband's name is Preston Ecker, both of whom are adults and reside in Waynesboro, Pennsylvania.

(6) An adult son, Grover Repp, who has not been heard from for more than seven years, but is the father of the following children:

(a) An adult daughter, Elizabeth Repp, unmarried, residing in Carroll County, Maryland;

(b) A daughter, Marjorie Bruner, whose husband's name is N. M. (Buz) Bruner, both of whom are adults, residing in Greenville, Ohio.

(7) A deceased son, Samuel Wesley Repp, who left no children or widow, but possibly an adopted daughter, Iva Stultz, an adult, unmarried and residing in Carroll County, Maryland, who upon proving legal adoption would be entitled to an interest in said lands.

(5) Also the children and heirs at law of Annie E. Pfoutz, a sister, who predeceased the said Rachael J. Grossnickle Garber, intestate, namely:

(1) An adult son, Samuel Pfoutz

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(widower) residing in Carroll County, Maryland;

(2) An adult son, Carlton Pfoutz, unmarried, residing at Springfield Hospital, Carroll County, Maryland;

(3) A daughter, Maud Engleman, whose husband's name is William Engleman, both of whom are adults, residing at No. 627 Parkwyeth Avenue, Baltimore City, Maryland;

(4) A deceased son, Daniel Pfoutz, who predeceased the said Rachael J. Grossnickle Garber, and who died intestate, leaving the following children, viz:

(a) A daughter, Emily Pfoutz, whose husband's name is Elmer Pfoutz, both of whom are adults, residing at Westminster, Carroll County, Maryland;

(b) An infant son, Guy Pfoutz, aged 10 years, and who resides at Fayetteville, Pennsylvania.

(5) A daughter, Rhoda Schildt, whose husband's name is Elmer Schildt, both of whom are adults and reside at Rocky Ridge, Frederick County, Maryland.

(6) Also the children and heirs at law of S. Frank Repp, a brother, who predeceased the said Rachael J. Grossnickle Garber, intestate, namely:

(1) A daughter, Blanche Ridgely, whose husband's name is Harry Ridgely, both of whom are adults and reside at 11 East Lenox Street, Chevy Chase, Maryland.

(2) A daughter, Lottie Caldwell, whose husband's name is David Caldwell, both of whom are adults and reside in Washington, D. C.

(3) A son, Clinton B. Repp, who predeceased the said Rachael J. Grossnickle Garber, intestate, and left the following children, viz:

(a) A son, Clinton Burgess Repp, Jr., whose wife's name is Elizabeth Repp;

(b) A son, Frank N. Repp, unmarried;

(c) A son, Robert N. Repp, unmarried;

(d) A daughter, Elizabeth C. Repp, unmarried;

(e) A daughter, Virginia N. Repp, unmarried;

All of whom are adults, residing in Plainfield, New Jersey.

(7) Also the children and heirs at law of Isaac W. Repp, a brother, who predeceased the said Rachael J. Grossnickle Garber, intestate, namely:

(1) A daughter, Edna Graham, whose husband's name is Edgar Graham, both of whom are adults and reside in Waynesboro, Pennsylvania.

(2) A son, Walter Repp, whose wife's name is Mary Repp.

(3) A daughter, Clara Myers, whose husband's name is Ray Myers;

(4) A son, Sterling Repp, whose wife's name is Flora Repp; all of whom are adults and reside in Carroll County, Maryland.

The Bill further alleges that said real estate is not susceptible of partition or division among the parties of interest without great loss and damage, and it would be to the best interest and advantage of all the parties to this cause that said real estate be sold and the proceeds of sale divided among the parties according to their respective rights and interests, and that said real estate mentioned in this cause is not susceptible of partition or division in kind, without great loss and injury, and it would be to the benefit and advantage of all the parties, especially the infants, that said real estate be sold under a decree of Court and to invest the infants share of the proceeds in some productive fund for their benefit.

The Bill prays that said real estate may be sold under a decree of the Court, in Equity, and the proceeds divided among the parties, according to their respective rights and interests, and that the infants share of the proceeds thereof be reinvested for said infants under the authority of the Court; and for general relief.

It is thereupon this 5th day of July, 1939, by the Circuit Court for Frederick County, sitting as a Court of Equity, and by the authority thereof, ordered that the plaintiffs give notice to the said non-resident defendants of the object and substance of this Bill, by causing a copy of the same to be published in some newspaper printed and published in Frederick County, once a week for four successive weeks prior to the 4th day of August, 1939, commanding them and each of them to be and appear in this Court, in person or by Solicitor, on or before the 21st day of August, 1939, and show cause, if any they have, why a decree ought not be passed as prayed.

Filed July 5, 1939

ELLIS C. WACHTER,

Clerk of the Circuit Court for

Frederick County, Maryland.

D. Princeton Buckey, Solicitor.

True Copy Test:

ELLIS C. WACHTER,

Clerk.

Frederick, Md., Sept. 11, 1939, 193

This is to certify, That the annexed Order of publication was published in The Post, a newspaper published in Frederick County, once a week for four successive weeks prior to the 4th, day of August, 1939.

THE NEWS-POST

Filed September 12, 1939

Per *W. H. Moore*